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14 UNITED STATES DISTRICT COURT

15 DISTRICT OF NEVADA

16 ALLSTATE INSURANCE COMPANY,  
ALLSTATE PROPERTY & CASUALTY  
17 INSURANCE COMPANY, ALLSTATE  
INDEMNITY COMPANY, and ALLSTATE  
18 FIRE & CASUALTY INSURANCE  
COMPANY,

19 Plaintiffs,

20 v.

21 MARJORIE BELSKY, MD; MARIO  
22 TARQUINO, MD; MARJORIE BELSKY,  
MD, INC., doing business as INTEGRATED  
23 PAIN SPECIALISTS; and MARIO  
TARQUINO, MD, INC., DOES 1-100, and  
24 ROES 101-200,

25 Defendants.

26 AND RELATED CLAIMS  
27  
28

CASE NO. 2:15-cv-2265-MMD-CWH

**STIPULATION TO INCLUDE ADAM S.  
KUTNER & ASSOCIATES INTO THE  
STIPULATED CONFIDENTIALITY AND  
PROTECTIVE ORDER (ECF NO. 49)  
FOR THE DISCLOSURE OF  
DOCUMENTS PURSUANT TO F.R.C.P.  
45 SUBPOENA**

2:15-cv-2265-MMD-CWH

1 Plaintiffs/Counter-defendants ALLSTATE INSURANCE COMPANY, ALLSTATE  
2 PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY,  
3 and ALLSTATE FIRE & CASUALTY COMPANY (collectively referred to as the "Plaintiffs"), and  
4 the law firm ADAM S. KUTNER & ASSOCIATES (non-party herein after referred to as  
5 "KUTNER") hereby stipulate and agree as follows:

6 1. Plaintiffs served KUTNER with a subpoena pursuant to F.R.C.P. 45 for the production  
7 of documents regarding communications and payments made by and between Law Firm and the  
8 Defendants during KUTNER's representation of certain clients in personal injury claims for which  
9 Plaintiffs paid on settlement on behalf of Plaintiffs' insureds.

10 2. KUTNER is aware that Plaintiffs have subpoenaed several law firms seeking the same  
11 type of information pursuant to Rule 45 in this case, as well as a companion sister-lawsuit *Allstate v.*  
12 *Shah, et. al. Case No. 2:15-cv-01786-APG-CWH ("Shah")*.

13 4. KUTNER understands that this Court presides over both the instant matter as well as  
14 the *Shah* matter, and that this Court has ruled consistently in both these cases and ordered other law  
15 firms to produce the same type of documents request of KUTNER.

16 5. A stipulated confidentiality and protective order in this case entered between Plaintiffs  
17 and Defendants for the disclosure of confidential, sensitive or other protected information was  
18 approved by this Court on June 3, 2016. (ECF No. 49).

19 6. KUTNER was not a party to the stipulated confidentiality and protective order. (ECF  
20 No. 49).

21 7. In ordering compliance with Plaintiffs' subpoenas to other law firms, this Court also  
22 ordered that the confidentiality and protective order (ECF No. 49) be applied to those law firms.

23 8. In accordance with this Court's prior rulings both in this action and in the *Shah* matter,  
24 the parties hereby stipulate and agree that the protections and scope articulated in the Stipulated  
25 Confidentiality and Protective Order approved by this Court on June 3, 2016. (ECF No. 49) be  
26 extended in their entirety to cover KUTNER in its compliance with Plaintiffs' subpoena.

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28 ///

1 9. KUTNER will produce all documents responsive to the subpoena within ten (10) days  
2 of approval and entry of this Order by the Court.

3 IT IS SO STIPULATED.

4 Dated:

Dated: 01/4/2019

5 McCORMICK, BARSTOW, SHEPPARD,  
6 WAYTE & CARRUTH LLP

ADAM S. KUTNER & ASSOCIATES

7 By: 

8 DYLAN P. TODD, ESQ.

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10 *Attorneys for Plaintiffs/Counterdefendants*

By: 

Adam S. Kutner, Esq.

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Las Vegas, NV 89102

702-382-0000

15 **ORDER**

16 IT IS SO ORDERED.

17 DATED this 11 day of January, 2019.

18   
19  
20 UNITED STATES MAGISTRATE JUDGE

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